

UNITED STATES DISTRICT COURT  
NORTHERN DISTRICT OF NEW YORK

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**DEBRA SPERO, as Natural Mother of  
V.S., an infant,**

Plaintiffs,

v.

**DECLARATION OF  
CHRISTOPHER MILITELLO**  
Civil Action No.: 3:17-cv-00007

**VESTAL CENTRAL SCHOOL DISTRICT  
BOARD OF EDUCATION, VESTAL CENTRAL  
SCHOOL DISTRICT, JEFFREY AHEARN,  
Superintendent of Schools, ALBERT A. PENNA,  
Interim Principal of Vestal High School,  
DEBORAH CADDICK and CLIFFORD KASSON,  
in their Individual and Official Capacities,**

Defendants,

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**DECLARATION OF CHRISTOPHER M. MILITELLO**

**CHRISTOPHER M. MILITELLO**, pursuant to 28 U.S.C. §1746, deposes and says:

1. I am an associate in the Law Firm of Frank W. Miller, counsel for all Defendants in the above-captioned litigation.

2. I make this declaration in opposition to the Motion of Plaintiff Debra Spero for a Preliminary Injunction pursuant to Federal Rule of Civil Procedure 65 seeking the following relief:

- a. Immediately reinstate Plaintiff V.S. to instruction at Vestal High School
- b. Provide an evaluation by the guidance office as to what courses are necessary for V.S. to earn his high school regents diploma; and/or
- c. Provide V.S. with tutoring to assist him in bringing him up to date in his classwork and prepare him for his pending Regents Examinations

3. A copy of the Affidavit of Jeffrey Ahearn, with exhibits, is presented herewith as **Exhibit 1.**

4. A copy of the Affidavit of Deborah Caddick, with exhibits, is presented herewith as **Exhibit 2.**

5. A copy of the Affidavit of Katharine Dyer, with exhibits, is presented herewith as **Exhibit 3.**

6. A copy of the Affidavit of Wendy K. Dewind, Esq., with exhibits, is presented herewith as **Exhibit 4.**

I declare under penalty of perjury that the foregoing is true and correct.

**Dated:** May 15, 2017

s/Christopher M. Militello  
**CHRISTOPHER M. MILITELLO**  
**Bar Roll No.: 515016**